IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

Bail Appl..No. 3911 of 2007()

CRIME NO. 234/07 OF PANDALAM POLICE STATION.

PETITIONER/ACCUSED NO.1

RENJU @ RENJITH, S/O K.N.RAVI,
RENJU BHAVANAM, MANTHUKA MURI, KULANADA.

BY ADV. SRI. K.SHAJ
SRI.B.BALRAJ
SRI.SAJJU.S

RESPONDENTS: COMPLAINANT

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 3911 of 2007

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Dated this the 29th day of June, 2007

O R D E R

Application for anticipatory bail. Petitioner is the husband of the defacto complainant. He faces allegations under Section 498A I.P.C. The crime has been registered on the basis of a complaint filed by the defacto complainant before the learned Magistrate and forwarded by the learned Magistrate to the police under Section 156 (3) Cr.P.C. Investigation is in progress. The co-accused, i.e. the relatives of the petitioner, have already been granted anticipatory bail. The petitioner now prays that he may also be granted anticipatory bail. The marriage is admitted. There is one child in the wedlock. The marriage subsists even now.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not seriously oppose the said prayer and I am satisfied in the facts and circumstances of this case that the petitioner can be granted anticipatory bail, subject to appropriate conditions, which shall ensure the interests of a fair, efficient and expeditious investigation. In coming to this conclusion I take note of the hard

reality that if the petitioner were arrested and detained in prison all chances of return of harmony in marriage shall be marred.

3. In the result:

(1) This application is allowed.

(2) The following directions are issued under Section 438 Cr.P.C.

(a) The petitioner shall surrender before the learned Magistrate on 7.7.2007 at 11 a.m. The learned Magistrate shall release the petitioner on regular bail on condition that he executes a bonds for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(b) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 3 p.m. on 8.7.07 and 9.7.2007 and thereafter on all Mondays between 10 a.m. and 12 noon for a period of one month and subsequently as and when directed by the Investigating Officer in writing to do so.

(c) If the petitioner does not appear before the learned Magistrate as directed in clause (1) above, these directions shall lapse on 7.7.07 and the police shall be at liberty thereafter to arrest the petitioner and deal with him in accordance with law.

(d) If the petitioner were arrested prior to his surrender on 7.7.2007 as directed in clause (1) above, he shall be released on bail on his executing a bond for Rs.25,000/- without any surety undertaking to appear before the learned Magistrate on 7.7.2007.

(R. BASANT)
Judge

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